

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-1 MATTHEW MERCER-KINSER,

Defendant.

Case No. 19-20772

Hon. TERRENCE G. BERG

**STIPULATION TO ADJOURN DATES
AND FINDING OF EXCLUDABLE DELAY**

The parties stipulate and agree that the motion and plea cutoff of March 13, 2020, the final pretrial conference of April 2, 2020 and the jury trial of April 14, 2020 be continued for approximately 60 days, to May 22, 2020, June 4, 2020 and June 22, 2020, respectively. Defendant has requested this adjournment because defendant and his counsel need adequate time to investigate the case, evaluate whether to file any motions, continue plea negotiations with the government, and prepare for trial if necessary. The United States has no objection.

The parties stipulate and agree that based on these reasons, the ends of justice served by a continuance outweigh the best interests of the public and defendant in a speedy trial, and that the time period from March 10, 2020 to June 22, 2020 should

be excluded from the computation of time under the Speedy Trial Act, pursuant to 18 U.S.C. §3161(h)(7).

SO STIPULATED AND AGREED,

FOR THE UNITED STATES:

s/ Erin S. Shaw

ERIN S. SHAW

Assistant U.S. Attorney

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Detroit, Michigan 48226

(313) 226-9182

FOR THE DEFENDANT:

s/ Todd Shanker (with consent)

TODD SHANKER

Attorney for Defendant Matthew Mercer-Kinser

613 Abbott Street, 5th Floor

Detroit, Michigan 48226

Dated: March 11, 2020

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ORDER

Upon this Court's consideration of the parties' stipulation to adjourn the motion and plea cutoff, the final pretrial conference, and the jury trial for approximately 60 days, and of the reasons provided by the parties for the exclusion of time under the Speedy Trial Act, and the Court being fully advised of its premises;

IT IS HEREBY ORDERED that the following dates are continued as follows:

Motion and Plea Cutoff

May 22, 2020

Final Pre-trial Conference

June 4, 2020 at 11:00 a.m.

Trial

June 22, 2020 at 9:00 a.m.

IT IS FURTHER ORDERED that the time period from the current trial date of April 14, 2020 through the new trial date of June 22, 2020 shall be deemed excludable delay under the provisions of the Speedy Trial Act, 18 U.S.C

§3161(h)(7). This Court finds that because defendant and his counsel need adequate time to investigate the case, evaluate whether to file any motions, continue plea negotiations with the government, and prepare for trial if necessary, the ends of justice served by this delay outweigh the best interests of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

/s/Terrence G. Berg

Hon. Terrence G. Berg
United States District Judge

Dated: March 12, 2020